

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 19 1997
 Returned to applicant for correction APR 22 1997
 Corrected application filed JUN 17 1997
 Map filed FEB 21 1989 under 52892

The applicant Unincorporated Town of Eureka, a political subdivision of Eureka County, a political subdivision of the State of Nevada., hereby make application for permission to change the PLACE OF USE of water heretofore appropriated under 52892

1. The source of water is underground
2. The amount of water to be changed 2.51 cfs, not to exceed 640 af per year
3. The water to be used for municipal
4. The water heretofore permitted for municipal
5. The water is to be diverted at the following point Lot 9, Sec. 28, T20N, R53E, MDB&M, or at a point from which the SE corner of said Sec. 28 bears S. 46° 20' 21" E., 1949.4 feet.
6. The existing permitted point of diversion is located within Same
7. Proposed place of use As on preliminary map. (Any point within the Town Limits of the Unincorporated Town of Eureka, County of Eureka State of Nevada) E $\frac{1}{2}$ Sec. 11; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13; E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 24, T19N, R53E, MDB&M.
8. Existing place of use W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13; SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 24, T19N, R53E, MDB&M.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works 500' Deep X16" WELL, 200 HP Submersible Turbine Pump, 4.5 Miles 12" PVC Transmission Pipe, Booster Station
12. Estimated cost of works \$900,000
13. Estimated time required to construct works Work Completed
14. Estimated time required to complete the application of water to beneficial use 10 Years
15. Remarks: Annual consumption not to exceed 640 af

By UNINCORPORATED TOWN OF EUREKA, a
 political subdivision of Eureka
 County, State of Nevada
 Paul LUMOS P.E., AGENT
 s/Paul Lumos
 800 E. COLLEGE PARKWAY
 CARSON CITY, NV 89706/
 (702) 883-7077

Compared my/bk jr/cms

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 52892 is issued subject to the terms and conditions imposed in said Permit 52892 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 45534, Certificate 13441; Permits 55660, 62928 and 62929 shall not exceed 332.69 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.51 cubic feet per second, but not to exceed 208.54 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

May 15, 2007

Proof of the application of water to beneficial use shall be filed on or before:

June 15, 2007

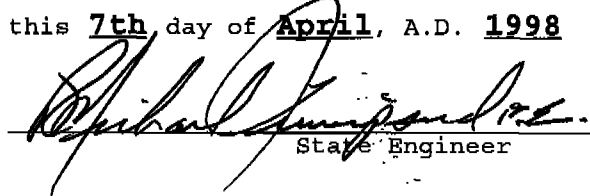
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 7th day of April, A.D. 1998


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____